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REMARKS

Claims 1-22 are pending in the present application. In the Office Action mailed April 7, 2005, the Examiner rejected claims 1, 5, 8-11, 16, and 22 under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (USP 6,594,673) in view of San Andres et al. (USP 5,956,489). The Examiner next rejected claims 2-4, 6, 7, 12, 14, 15, and 17-21 under 35 U.S.C. §103(a) as being unpatentable over Smith et al. in view of San Andres et al., and further in view of Knight et al. (USP 6,721,748).

With respect to claim 1, the Examiner concluded that "Smith discloses: A method of cross-pollinating (cross-posting) postings across more than one computerized bulletin board." This is not accurate because Smith et al. does not teach or suggest any system or method of cross pollinating posts across multiple computerized bulletin boards, but instead teaches a system and method for reviewing the contents of documents and databases to generate a visualization of the information reviewed and the interrelation thereof. *See* Abstract of Smith et al.

In this regard, the Examiner acknowledged that Smith et al. does not teach or suggest "automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance," as called for in claim 1. However, the Examiner combined the teachings of Smith et al. with San Andres et al. to conclude that the subject matter called for in claim 1 is not patentable. This conclusion is not correct because San Andres et al. does not teach or suggest "automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance," as called for in claim 1.

In particular, the Examiner cited column 15, lines 36-62 of San Andres et al. as teaching "automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance." However, San Andres et al. is not concerned with cross pollination of individual posts across multiple bulletin boards, but is directed to a system for creating and updating a redundant or "replicated" data repositories. *See* Abstract of San Andres et al. and col. 9, lns. 28-30. In simplified terms, San Andres et al. teaches the equivalent of a RAID array of servers rather than individual hard drives. San Andres et al. clearly does not teach or suggest "placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance," as asserted by the Examiner. Rather, such discriminatory copying is directly contrary to the express teaching of maintaining "consistent" and redundant copies of all transaction records on a given server. *See* Abstract of San Andres et al. That is, San Andres et al. is explicit that "the Arbiter service is used

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to ensure that all servers of the service group modify their content data in a consistent manner.” Col. 9, Ins. 28-30. Therefore, San Andres et al. teaches directly away from “automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance” because such promotes inconsistency between computerized bulletin boards.

The very section cited by the Examiner in support of the rejection further clarifies this point. In particular, the reference teaches that “duplicate copies of all message postings are preferably stored locally on each BBS server 120.” Col. 15, Ins. 42-44 (emphasis added). Therefore, in the very section cited by the Examiner, San Andres et al. clearly teaches directly away from the discriminatory process of “automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance.”

Accordingly, San Andres et al. cannot be combined with any system that performs the step of “automatically determining one or more other computerized bulletin boards related to the at least one topic of relevance” because this step aids in facilitating the discriminatory copying to computerized bulletin boards related to the at least one topic of relevance. Therefore, under MPEP §2141.02, notwithstanding that taught by Smith et al., San Andres et al. cannot be used to support the proffered rejection because it teaches away from that which is claimed. As such, for at least these reasons, claim 1 is patentably distinct from the art of record. Furthermore, claims 2-9 are in condition for allowance at least pursuant to the chain of dependency.

Regarding claim 10, the Examiner asserted that “Smith/San” teaches that which is claimed. However, while the Examiner provided numerous citations to sections of Smith et al., the Examiner did not provide any citations to San Andres et al. For example, the Examiner cited column 6, lines 18-33 of Smith et al. as teaching a computer being caused to “place a copy of the user post on each of the one or more specific computerized bulletin boards” dedicated to the one or more identified specific topics of relevance. This is assertion is directly contrary to the statement that Smith et al. does not teach or suggest “automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance,” which the Examiner made with respect to claim 1. Furthermore, the cited section is unsupportive of the conclusion for which it is cited to support. Rather, the cited section states:

In one implementation, the relative number of cross-posts between a core newsgroup 106 and a newsgroup 102 corresponds to the relative strength of the link 104 between the two groups. The relative strengths of links 104 may be represented by their lengths, with shorter links 104 corresponding greater numbers of cross-posts. Strong links 104 that correspond to relatively large numbers of cross-posts between groups may indicate similarities in the subject

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matter or topics covered by the two groups. Accordingly, inter-group visualization format 100 may be used as an indicator of the commonality in the subject matter of different newsgroups. A user familiar with the subject matter of a selected newsgroup 106 could identify from inter-group visualization format 100 other newsgroups 102 that might have related information or subject matter.

Smith et al., col. 6, lns. 18-33.

Nowhere is it taught or suggested that a computer is caused to "place a copy of the user post on each of the one or more specific computerized bulletin boards" dedicated to the one or more identified specific topics of relevance. To the contrary, the cited section merely states that "cross-posts" may exist. To conclude that such a cross-post was performed by anything other than manual redundant posting would be a clear case of impermissible hindsight. That is, since there is no teaching or suggestion within the art of record that cross-posting or cross-pollination of posts to computerized bulletin boards may be performed other than manually, only Applicant's own disclosure could be used to construe this statement by Smith et al. as teaching that the cross-postings may be automatically performed by computerized systems. This is improper under MPEP §2145.

Furthermore, as shown above with respect to claim 1, any attempt to utilize San Andres et al. to rectify this deficiency is also impermissible. Accordingly, claim 10 is patentably distinct from the art of record. As such, claims 11-16 are in condition at least pursuant to the chain of dependency.

With respect to claim 17, the Examiner acknowledged that neither Smith et al. nor San Andres et al., alone or in combination, teach or suggest that which is called for in claim 17. Accordingly, the Examiner cited a third reference, Knight et al., and a fourth reference, Hoffer. That is, the Examiner compiled a four-way rejection to address the elements of claim 17. While Applicant does not necessarily agree with the Examiner with respect to the Examiner's interpretation of the teachings of Knight et al. and Hoffer, for at least the reasons addressed above with respect to claims 1 and 10, the rejection cannot be sustained. As such, Applicant does not believe additional remarks are necessary to address the teachings and suggestions of the third reference, Knight et al., and the fourth reference, Hoffer, because the first reference, Smith et al., and the second reference, San Andres et al., cannot be properly combined. That is, as shown above, the combination on Smith et al. and San Andres et al. cannot be sustained. Further, the addition of Knight et al. and Hoffer does not render the rejection sustainable. See MPEP § 2141.02. Accordingly, the proffered rejection based on a four-way combination of Smith et al., San Andres et al., Knight et al., and Hoffer cannot be sustained.

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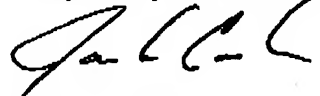
For at least these reasons, claim 17 is patentably distinct from the art of record. Accordingly, claims 18-21 are in condition for allowance at least pursuant to the chain of dependency.

Regarding claim 22, the Examiner cited various sections of Smith et al. and San Andres et al. However, as shown above with respect to claims 1 and 10, this combination is unsupportive and improper. Therefore, for at least the reasons stated above with respect to claims 1 and 10, claim 22 is patentably distinct from the art of record.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-22.

Applicant appreciates the Examiner's consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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